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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,986	10/16/2003	Jean-Francois Maion	004770.00147	8122
22907 7590 06/23/2009 BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051				
EXAMINER				
IWARERE, OLUSEYE				
ART UNIT		PAPER NUMBER		
3687				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/686,986

**Applicant(s)**

MAION ET AL.

**Examiner**

OLUSEYE IWARERE

**Art Unit**

3687

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12, 14-18, 22-36 and 38-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-18, 22-36 and 38-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This communication is in response to the remarks received on March 4, 2009. These remarks have fully considered below.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. **Claims 1 – 12, 14 – 18, 22 – 36 and 38 – 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Hudetz (6,199,048).**

**As per claims 1 and 25,** Hudetz discloses a method and a computer-readable medium having stored thereon computer-executable instructions, that when executed, cause a device to:

receiving information from a product tag in response to scanning the product tag with radiation, the received information including encoded text segments (abstract discusses receiving tang information);

converting the received information to obtain the text segments, the text segments including a first text segment and a separate meta tag having one of one or more associated values, each of the associated values corresponding to a different rule

(figs 3 – 5 depict converting the information. fig. 3 has two text segments, a and b. fig. 4, 76 depicts a metatag);

parsing the text segments and identifying the first text segment and the meta tag (figs 3 – 5 depict parsing the information); and

displaying the first text segment in a manner determined by the rule corresponding to the one associated value (figs 3 – 5 depict displaying the information).

**As per claims 2 and 26**, Hudetz discloses wherein the product tag is a radio frequency identification tag, and wherein receiving information from a product tag comprises receiving information in response to scanning the radio frequency identification with radiation originating at a mobile terminal (fig. 1 depicts a barcode tag and a scanner).

**As per claims 3 and 27**, Hudetz discloses wherein the receiving information from a product tag comprises receiving information in response to scanning the product tag with light (abstract discusses swiping the barcode reader over the symbol).

**As per claims 4 and 28**, Hudetz discloses wherein the meta tag comprises at least one character (figs 3 – 5 depict a meta tag with at least one character).

**As per claims 5 and 29**, Hudetz discloses wherein the meta tag consists of one character (figs 3 – 5 depicts one character).

**As per claims 6 and 30**, Hudetz discloses wherein the manner determined by the rule corresponding to the one associated value comprises adding text to the first text segment (figs 3 – 5 depicts adding text).

**As per claims 7 and 31**, Hudetz discloses wherein the manner determined by the rule corresponding to the associated value comprises formatting the first text segment (figs 3 – 5 depict formatting the text segment).

**As per claims 8 and 32**, Hudetz discloses, wherein the expanding comprises converting the at least one segment of text to a hyperlink to a computer network site (figs 3 – 5 depicts expanding the text segment to a url).

**As per claims 9 and 33**, Hudetz discloses, further including: receiving product information from the computer network (abstract discloses receiving product info).

**As per claims 10 and 34**, Hudetz discloses wherein converting the first text segment to a hyperlink comprises searching a domain name database for an entry that corresponds to the first text segment (figs 3 – 5 depicts a domain name database).

**As per claims 11 and 35**, Hudetz discloses further including determining whether wireless network access, is available for a terminal having a display device on

which the first text segment is displayed (figs 1 and 2 discuss access to remote network).

**As per claims 12 and 36**, Hudetz discloses wherein the manner determined by the rule corresponding to the one associated value comprises expanding the first text segment into a hyperlink to a local or remote network site, which allows access to respective information depending on whether the wireless network access is available (figs 3 – 5 depict associating a rule into a hyperlink).

**As per claim 14**, Hudetz discloses wherein the text segments include at least one formatting code (figs 3 – 5 depict formatting code).

**As per claim 15**, Hudetz discloses wherein the at least one formatting code comprises an HTML tag (figs 3 – 5 depict an html tag).

**As per claims 16 and 38**, Hudetz discloses wherein the product tag comprises a radio frequency identification tag (fig. 1 depicts an article barcode tag).

**As per claims 17 and 39**, Hudetz discloses wherein the text segments include a second text segment and the second text segment includes a domain name code, and the method further includes converting the domain name code into a uniform resource

located of at least one of a product information and a product name associated with the product tag (figs 3 – 5 depict a second text segment and a domain name).

**As per claims 18 and 40**, Hudetz discloses wherein the text segments further include a second text segment, and further comprising:

displaying the second text segment in a manner determined by a rule associated with the position of the second text segment within the text segments (figs 3 – 5 depict displaying the second text segment).

**As per claim 22**, Hudetz discloses, a mobile terminal comprising:

a transceiver configured to generate radiation for scanning a product tag and configured to receive, in response to said scanning, information including coded text segments separated by field separators, wherein the text segments include a first text segment and a separate meta tag having one of one or more associated values, each of the associated values corresponding to a different rule (fig. 2 depicts the transceiver and figs 3 – 5 the text segments);

a driver configured to convert the received information to obtain the text segments (figs 1 and 2 depict the driver); and

a parser configured to  
parse the text segments and identify the first text segment and the meta tag, and  
display the first text segment, in a manner determined by the rule corresponding to the one associated value, on a display device (figs 3 – 5 depict converting parsing).

**As per claim 23**, Hudetz discloses further including a meta tag database storing instructions corresponding to the rules corresponding to possible associated values of the meta tag (figs 3 – 5 depict instructions corresponding to rules).

**As per claim 24**, Hudetz discloses wherein the parser is configured to display the first text segment by expanding the first text segment into a hyperlink to a local remote network site, which allows access to respective information depending on whether wireless local network access supported by the transceiver of the apparatus is available (figs 3 – 5 depict accessing a local remote network site).

#### ***Response to Arguments***

4. Applicant's arguments filed March 4, 2009 have been fully considered but they are not persuasive.

Applicant argues, "Hudetz fails to describe features related to (encoded) text segments being included in received information from a (scanned) product tag."

However, the abstract of Hudetz states, "a user enters the product's UPC symbol manually, by swiping a bar code reader over the UPC symbol, or via other suitable input means. The database retrieves the URL corresponding to the UPC code. This location information is then used to access the desired resource."



The URL retrieved in the database is construed as coded text segments, because the numbers contained in the UPC are by definition a Universal Product Code. Therefore, the Examiner respectfully disagrees.

Additionally, Applicant argues, "The maintenance of a mapping between five-digit fields A and B and the URLs and product descriptions in the Hudetz database fails to describe features related to displaying a first text segment in a manner determined by a rule corresponding to an associated value as recited in claim 1."

However, the claim states, "converting the received information to obtain the text segments, the text segments including a first text segment and a separate meta tag having one of one or more associated values, each of the associated values corresponding to a different rule"

Fig. 3 has two text segments, A and B, which meet the first text segment and fig. 4, 76 depicts a metatag which meets the separate meta tag having one or more associated values, limitation. Figs 3 – 5 depict converting the information, and each text segment, (A and B) corresponds to a different rule as depicted in figures 3 - 5. Therefore, the Examiner respectfully disagrees.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUSEYE IWARERE whose telephone number is (571)270-5112. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on (571)272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew S Gart/  
Supervisory Patent Examiner, Art  
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